

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

In re

No. C 12-2861 WHA (PR)

TERRY RAY HAWES,  
Petitioner.

**ORDER OF DISMISSAL**

(Docket No. 5)

On June 4, 2012, petitioner, a prisoner of the State of California, filed a letter complaining of actions by law enforcement officials in the course of his arrest and trial. That day, the clerk notified petitioner that he had not filed a petition or complaint, and that he had neither paid the filing fee nor filed an application to proceed in forma pauperis ("IFP"). Along with the notices, the clerk mailed to petitioner the court's petition and IFP forms, instructions for completing the forms, and a stamped return envelope. In the notices, petitioner was informed that the case would be dismissed if he did not file a complaint, and pay the fee or file a completed IFP application, within thirty days. More than thirty days have passed, and petitioner has not filed a petition or an IFP application, and he has also not paid the filing fee. Accordingly, this case is **DISMISSED** without prejudice. *See Thomas v. Anchorage Equal Rights Comm'n*, 220 F.3d 1134, 1138-39 (9th Cir. 2000) (en banc) (federal courts are restricted by the constitution to ruling on cases or controversies). The Clerk shall enter judgment and close the file.

**IT IS SO ORDERED.**

Dated: October 4, 2012.

  
WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE